



## TOWN OF ELSMERE

### APPEAL TO THE BOARD OF ADJUSTMENT

Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Board of Adjustment of the Town of Elsmere, provided that a written application for appeal is filed within 20 days after the day the decision, citation, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted or the provisions of this code do not fully apply. Additionally, an application for appeal may be based on a claim that an action other than what is required by the code: 1) provides the same or better protections than what the code requires and 2) will not cost the Town of Elsmere any more money than enforcing the code as written. If the appellant proves that an action other than what is required by the code meets these two requirements, the Board of Adjustment may, in its discretion, either enforce the code as written or permit the proposed alternative action.

Date This Appeal was Filed:

10-24-11

Tax Parcel Number:

19 00 20 0201

Date of the Original Action:

9-22-2011

Subject Properties Address:

2133 Seneca Rd  
Wilmington DE 19805

Property Owners Name:

JULIO RIVERA

Property Owners Address:

2133 Seneca Rd

Phone Number:

302 345-8423

Wilmington DE 19805

Applicants Name:

JULIO RIVERA

Applicants Address:

2133 Rd Wilmington DE 19805

Specific Item Being Appealed: (ex: Citation Number, Petition Number, Order Number Etc.)

downs Pouts. Junky trash.

I feel that there was no proper notice given prior to issuing the citations.

Citation # 11-9-0620

Citation # 11-9-0621

JR

Applicants Signature:

[Signature]

Date

10-24-11



# THE TOWN OF ELSMERE CODE ENFORCEMENT DEPARTMENT

**\*\*\*\*\*CITATION\*\*\*\*\***

11 Poplar Avenue – Elsmere, DE 19805 Phone: 302-998-2215 Fax: 302-998-9920

|  |                         |  |
|--|-------------------------|--|
| <b>RESPONSIBLE PARTY</b><br><br>Julio Rivera<br>2133 Seneca Rd<br>Wilmington, De 19805 | <b>CITATION #</b>       | 11-9-0620                              |
|  | <b>OFFICER</b>          | Brian Swift                            |
|  | <b>VIOLATION DATE</b>   | 9/22/2011                              |
|  | <b>PROPERTY ADDRESS</b> | 2133 Seneca Rd<br>Wilmington, DE 19805 |
|  | <b>ABATEMENT DATE</b>   | N/A                                    |

On the above date, the Code Enforcement Department performed an inspection of the above referenced property. During this inspection, a violation of the Town of Elsmere Code was discovered. The nature of the civil citation is described below.

| Specific Violation   | Code Section    | Due Date   | Amount Due |
|--|-----------------|------------|------------|
| 303.2 All exterior surfaces shall be maintained in good condition. Exterior wood surfaces shall be protected from the elements and decay by painting or other protective covering or treatment. (exterior painting is needed)  | 2000 IPMC 303.2 | 10/22/2011 | \$50.00    |
| <p align="center"><b>*****CITATION INFORMATION*****</b></p> <p>In order to process your payment, please write the property address in violation in the memo section of the check or money order, and then mail it with the voucher below.</p> <p>You may also pay your fee in person at Town Hall, 11 Poplar Ave., Elsmere, DE 19805.</p> <p align="center"><b><u>ABATEMENT COST</u></b></p> <p>If the violation noted above is not corrected by 4:00 pm. on the "ABATEMENT DATE" listed above, the Town will take action to abate the violation. If this becomes necessary in addition to the \$50.00 fine already assessed you will owe to the Town the costs of the abatement.</p> <p>Should you have any questions please contact the Code Enforcement Department at (302) 998-2215.</p> |                 |            |            |



The "Amount Due" associated with this violation is a civil penalty and is due by no later than the "Due Date". Additionally if the violation is not abated by the "Abatement Date" shown above, the Town will take action to correct the violation. If this becomes necessary you will be responsible for the payment of all abatement costs incurred by the Town. Failure to pay the "Amount Due" and any abatement costs assessed shall give rise to a lien on the property pursuant to Title 25, Chapter 29, of the Delaware Code. You must pay this civil penalty of \$50.00 by the "Due Date" of this citation, even if the violation has been corrected.

**Please return this section with your payment.**

| DUE DATE   | PARCEL NUMBER | CITATION NUMBER | AMOUNT DUE |
|------------|---------------|-----------------|------------|
| 10/22/2011 | 1900200201    | 11-9-0620       | \$50.00    |

**Make Checks Payable To:** The Town of Elsmere  
**Mail Your Payment To:** The Town of Elsmere  
 Finance Department  
 11 Poplar Avenue  
 Elsmere, DE 19805

- Each 24-hour period that the condition giving rise to this citation continues will be subject to a separate citation and an additional civil penalty in the amount of \$50.00.
- You have the right to appeal this violation by submitting a written application to the Town of Elsmere's Board of Adjustment within twenty (20) days of the date of this violation. **MEANS OF APPEAL SHOWN ON THE BACK.**



# TOWN OF ELSMERE

11 POPLAR AVE  
ELSMERE, DE 19805  
ATTN: HEATHER A. HEROLD  
TEL: (302)998-2215  
FAX: (302)998-9920

INVOICE NO.

I2-00290

INVOICE DATE: 09/22/11

DUE DATE: 10/22/11

CUSTOMER #: C11-0620

JULIO RIVERA  
2133 SENECA RD  
WILMINGTON, DE 19805

| QUANTITY/UNIT | SERVICE ID | DESCRIPTION   | UNIT PRICE    | AMOUNT |
|---------------|------------|---|---------------|--------|
| 1.00          | CODE-CIT   | CODE CITATION<br>2133 SENECA RD - EXT. PAINT<br>2133 SENECA RD<br>2000 IPMC 303.2<br>ALL EXTERIOR SURFACES SHALL BE<br>MAINTAINED IN GOOD CONDITION. EXTERIOR<br>WOOD SURFACES SHALL BE PROTECTED FROM<br>THE ELEMENTS BY PAINTING OR OTHER<br>PROTECTIVE COVERING OR TREATMENT.<br>(EXTERIOR PAINTING IS NEEDED) | 50.0000       | 50.00  |
|               |            |   | TOTAL INVOICE | 50.00  |

TOWN OF ELSMERE  
11 POPLAR AVE  
ELSMERE, DE 19805

JULIO RIVERA  
2133 SENECA RD  
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Invoice Id: I2-00290

Customer Id: C11-0620

Due Date: 10/22/11

Total Due: 50.00





# THE TOWN OF ELSMERE CODE ENFORCEMENT DEPARTMENT

## \*\*\*\*\*CITATION\*\*\*\*\*

11 Poplar Avenue – Elsmere, DE 19805 Phone: 302-998-2215 Fax: 302-998-9920

|  |                         |  |
|--|-------------------------|--|
| <b>RESPONSIBLE PARTY</b><br><br>Julio Rivera<br>2133 Seneca Rd<br>Wilmington, De 19805 | <b>CITATION #</b>       | 11-9-0621                              |
|  | <b>OFFICER</b>          | Brian Swift                            |
|  | <b>VIOLATION DATE</b>   | 9/22/2011                              |
|  | <b>PROPERTY ADDRESS</b> | 2133 Seneca Rd<br>Wilmington, DE 19805 |
|  | <b>ABATEMENT DATE</b>   | N/A                                    |

On the above date, the Code Enforcement Department performed an inspection of the above referenced property. During this inspection, a violation of the Town of Elsmere Code was discovered. The nature of the civil citation is described below.

| Specific Violation   | Code Section    | Due Date   | Amount Due |
|--|-----------------|------------|------------|
| 303.7 Gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public. (Bottom of down spout missing)   | 2000 IPMC 303.7 | 10/22/2011 | \$50.00    |
| <p align="center"><b>*****CITATION INFORMATION*****</b></p> <p>In order to process your payment, please write the property address in violation in the memo section of the check or money order, and then mail it with the voucher below.</p> <p>You may also pay your fee in person at Town Hall, 11 Poplar Ave., Elsmere, DE 19805.</p> <p align="center"><b><u>ABATEMENT COST</u></b></p> <p>If the violation noted above is not corrected by 4:00 pm. on the "ABATEMENT DATE" listed above, the Town will take action to abate the violation. If this becomes necessary in addition to the \$50.00 fine already assessed you will owe to the Town the costs of the abatement.</p> <p>Should you have any questions please contact the Code Enforcement Department at (302) 998-2215.</p> |                 |            |            |



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| DUE DATE   | PARCEL NUMBER | CITATION NUMBER | AMOUNT DUE |
|------------|---------------|-----------------|------------|
| 10/22/2011 | 1900200201    | 11-9-0621       | \$50.00    |

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 11 Poplar Avenue  
 Elsmere, DE 19805

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11 POPLAR AVE  
ELSMERE, DE 19805  
ATTN: HEATHER A. HEROLD  
TEL: (302)998-2215  
FAX: (302)998-9920

INVOICE NO.

I2-00289

INVOICE DATE: 09/22/11  
DUE DATE: 10/22/11

CUSTOMER #: C11-0621

JULIO RIVERA  
2133 SENECA RD  
WILMINGTON, DE 19805

| QUANTITY/UNIT | SERVICE ID | DESCRIPTION  | UNIT PRICE    | AMOUNT      |
|---------------|------------|--|---------------|-------------|
| 1.00          | CODE-CIT   | CODE CITATION<br>2133 SENECA RD - DOWNSPOUT<br>2133 SENECA RD<br>2000 IPMC 303.7<br>BOTTOM OF DOWNSPOUT IS MISSING | 50.0000       | 50.00       |
|               |            |  | TOTAL INVOICE | <hr/> 50.00 |

TOWN OF ELSMERE  
11 POPLAR AVE  
ELSMERE, DE 19805

JULIO RIVERA  
2133 SENECA RD  
WILMINGTON, DE 19805

Invoice Id: I2-00289

Customer Id: C11-0621

Due Date: 10/22/11

Total Due: 50.00

